United Nations A/HRC/31/NGO/195

General Assembly

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Human Rights Council
Thirty-first session
Agenda item 6
Universal Periodic Review

Joint written statement* submitted by Franciscans International, a non-governmental organization in general consultative status, Edmund Rice International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-03170(E)

Please recycle

The Plight of Children and Women Seeking Asylum in Australia

Franciscans International, Edmund Rice International, Destination Justice, and ChilOut (Coalition) welcomes the adoption of the Reports of the UPR of Australia and Nauru and would like to draw the attention to the issue of children and women seeking asylum in Australia.

CURRENT SITUATION

Australia's practice of mandatorily and indefinitely detaining asylum seekers, including women and children, amounts to a serious violation of Australia's international human rights obligations. Australia is the only country in the world to detain children arriving in its territory via a maritime vessel and without a visa, as a first option. In addition, Australia denies these unauthorised maritime arrivals the right to challenge the legality of their detention and subjects them to inhumane conditions of deprivation of liberty.

Mainland Immigration Detention Centers (IDCs) and Australian-run offshore detention facilities in Nauru and Papua New Guinea raise serious concerns for the welfare and safety of asylum seekers, particularly women and children, especially in light of the evidence of physical and sexual abuse occurring in certain facilities.

The damaging impact of detention on the immediate and long-term-health of children and women is well known and has been strongly denounced by the Australian Human Rights Commission (AHRC), UN bodies, independent reviews, and members of the medical profession.

Statistics

According to official statistics in 2015, 91 children are currently held in IDCs in Australia and 68 in the Nauru Regional Processing Centre (RPC); 212 women are held in mainland IDCs and 79 are at the Nauru RPC. The average length of time that asylum seekers spend in immigration detention facilities is 445 days. 23.2% of asylum seekers currently in detention have been there for more than 730 days.

Between January 2013 and March 2014 the Department of Immigration and Border Protection (DIBP) reported:

- 57 serious assaults;
- 233 assaults involving children;
- 33 incidents of reported sexual assault (the majority involving children);
- 183 incidents of voluntary starvation (with a further 27 involving children).

The Australian Senate's 2015 Inquiry into the Nauru RPC revealed that between February 2014 and April 2015, there were:

- 253 self-harm incidents;
- 67 child abuse incidents;
- 33 incidents of sexual assault/rape;
- 724 complaints of ill-treatment against detention centre staff.

Conditions of Detention

Based on visits and first-hand information obtained by UNHCR, the AHRC, the Australian Senate and ChilOut, our Coalition supports the conclusion that the conditions in which asylum seekers are generally kept are inappropriate and are especially unsuitable for women and children.

Recent investigations into IDCs and Nauru RPC have stated that the deprivation of liberty at these centres fall below international standards in many areas, especially in relation to women and children. These include:

- October 2013. UNHCR - Sending children to offshore immigration detention is inappropriate and may be in breach of the Convention on the Rights of the Child.
- December 2014: UNCAT - Australia's indefinite detention of asylum seekers, including children, is concerning and the conditions in RPCs create "serious physical and mental pain and suffering" for them.
- November 2014. AHRC - "Children on Nauru are suffering from extreme levels of physical, emotional, psychological and developmental distress; "Australia's "mandatory and prolonged immigration detention of children is in clear violation of international human rights law."
- February 2015. AHRC, "Moss Review" - There are many credible allegations of indecent assault, sexual harassment, physical assault, sexual exploitation, rape, and overall issues involving the privacy and personal safety of detainees, in Nauru RPC.
- March 2015. UN SR on Torture - Australia's failure to end the detention of children, to provide adequate detention conditions and to stop violence and tensions at the Nauru RPC violates the CAT.
- August 2015. Australian Parliamentary Senate Committee - Nauru RPC is not a safe environment for asylum seekers, particularly for women, children and other vulnerable persons.
- February 2016. AHRC - The 69 children detained at Wickham Point Detention Centre who spent time in detention in Nauru are among the most traumatised ever seen by specialists; all children should be immediately removed from the facility.

Children

A) Sexual and physical abuses and other ill treatments perpetrated on children are confirmed by the above mentioned official DIBP statistics.
B) Children are referred to by their boat ID numbers and so they refer to themselves and each other; the possibility to contact family overseas are limited and parents progressively lose agency in their role as most decisions relating to the routine and care for the child are determined by detention facility service providers.
C) Community-standard healthcare is not consistently available; access to dental care, child psychiatry, peri-natal psychiatry, midwifery, obstetrics, speech therapists, nutritionists and paediatricians is limited.
D) Recreational ad hoc facilities and activities, consistent, curriculum-based pre-school education programs, and appropriate classroom areas and supplies lack. At Australian mainland sites, such as Wickham Point Detention Centre, children can join local public schools with an escort; this process is confusing and upsetting. Children detained in Nauru RPC are often bullied and harassed by Nauruan classmates.

Reports and observations regarding the impact of detention on children are corroborated by letters and other forms of communication that ChilOut has with children who are in mainland detention and in offshore RPCs. For example, children say "I am always sad because I have stayed such a long time in detention" and "I am sick of getting up every morning and seeing three rows of fences in front of me like I am a criminal." One child recently told ChilOut "The hardest part of being in detention is that I feel I am dying every second of my life in here. I don't feel alive."

Women

Various reports from service providers at the Nauru RPC and Australian media detail the inhumane conditions in which women are forced to live, in fear for their safety. Information concerning allegations of sexual harassment and assault providing evidence that protection, care, and responses from Australian and Nauruan authorities are inadequate are numerous.

In December 2013 following a threat of sexual assault against a female asylum seeker inside the RPC the DIBP required the woman to remain in the centre despite significant risk to her safety. In November 2013 a single mother claiming to be sexually harassed by a group of men was unable to move to alternative sleeping quarters away the alleged perpetrators because she had not raised the concerns on enough occasions to justify being moved. Not only protection

for women against sexual abuse on Nauru is inadequate; reports of sexual assaults on women detained there follow one another and the consequences of these violence perpetrated against them are appalling.

Abuses are likely under-reported and that atmosphere of secrecy and lack of access to support for asylum seekers creates a dangerous likelihood that abuse will continue or even intensify. Additionally, the alleged perpetrators of violence are rarely identified or charged by the competent authorities.

In July 2015 a 23 year old female Somali refugee known as "Abyan" said she was raped by an unknown man whilst outside the Nauru RPC. Her alleged rape resulted in a pregnancy. Abyan expressed her wish to terminate the pregnancy but was unable to do so on Nauru due to the fact that abortion is not legal there. Abyan was returned to Australia for medical treatment and a possible abortion, but in an unclear and highly politicised series of events Abyan was returned to Nauru after supposedly deciding against an abortion, although Abyan's ability to make free choices during this period is contested.

In Australian mainland detention centres there are also some concerns for the safety of female detainees. In May 2015 at Wickham Point Detention Centre, one of Australia's mainland centres, a male guard was dismissed following allegations he attempted to coerce female detainees into having sex with him.

The final report from the Australian Senate Inquiry noted that the "inability for vulnerable women and children to be removed from unsafe situations is clearly at odds with best practice that would apply in an Australian domestic context." This submission argues furthermore that such unsafe conditions are at odds with Australia's international human rights obligations to protect the rights of woman and children.

INTERNATIONAL LAW COMPLIANCE

Notwithstanding the recent unsuccessful challenge to the Government's transfer arrangements with Nauru in the High Court of Australia, as a matter of international law the physical transfer of asylum-seekers from Australia to Nauru does not extinguish Australia's legal responsibility for the protection of asylum seekers, refugees or stateless persons affected by the transfer arrangements.

In regard to children and women, it is important to underline that Australia is a party to several fundamental human rights instruments including the ICCPR and the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Australia's policy of mandatory and indefinite detention, among others:

1. Breaches Articles 9 and 14 of the UDHR, providing that "Everyone has the right to seek and enjoy in other countries asylum from persecution" and that "No one shall be subjected to arbitrary arrest, detention and exile."
2. Breaches Article 9 ICCPR as applied to immigration control procedures by the UN Human Rights Committee as well as Article 10 ICCPR
3. Breaches the 'last resort' principle of Article 37(b), (d) CRC.
4. Violates Art. 3(1) CRC according to which all actions concerning children must be in the best interests of the child.
5. Violates Article 37(c) CRC according to which children have to be treated with humanity and respect for their inherent-dignity.
6. Disregards Article 19 CRC.
7. Fails to provide children an adequate education, as per Article 28(1) CRC.
8. Does not foster the health, dignity and self-respect of women and children, as per Articles 39 CRC, 3 CEDAW and joint CEDAW - CRC Recommendation.
9. Violates Article 12 CEDAW.

RECOMMENDATIONS

Legislation:

1. Repeal mandatory detention and transfer to offshore RPCs for asylum seekers arriving by boat;
2. Introduce the minimum amendments to the Migration Act:
    A. Minimum standards for immigration detention of children and women;
    B. Detention for children must be used as last resort, should not exceed seven days, and should be clearly framed;
    C. Children should be released from detention with their families;
    D. Limits for immigration detention for adults must be reinstated.
3. Establish an effective and judicial review for immigration detention;
4. Repeal the whistleblower prohibitions in the Border Force Act 2015;
5. Amend legislation so that the Minister for Immigration and Border Protection is no longer the guardian of unaccompanied children and appoint an independent alternative guardian for children;
6. Introduce a mandatory reporting system for instances of child and women abuse or neglect occurring in detention.

Policy and implementation:

1. Stop refoulement of asylum-seekers and refugees;
2. Utilise alternatives to immigration detention effectively and consider additional alternatives for children and their families who arrive by boat and for women who are pregnant or nursing;
3. Process asylum claims more expeditiously;
4. Ensure adequate and accessible legal aid and services for asylum seekers;
5. Issue directives to DIBP and its contractors to restore language and practices that humanise asylum seekers and restore their dignity and agency;
6. Appoint an independent body of medical and legal experts to assess the welfare of children and women in detention and to respond to complaints and allegations of harm;
7. Provide the DIBP's contractors training and establish performance reviews to assess compliance with standards for the fair treatment of woman and children in detention.

Nauru RPC:

1. Immediately close the RPC in Nauru;
2. Release women, children and their families detained in Nauru, transfer them to Australia, and ensure that their rights are enforced and protected;
3. Cease the practice of transferring women and children and their families to the Nauru RPC;
4. Properly investigate and prosecute allegations of sexual and other forms of assault against children and women.

Destination Justice and ChillOut (Coalition), NGOs without consultative status, also share the views expressed in this statement.

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General Assembly

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Global Network for Rights and Development (GNRD), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Please recycle

UNHCR Statement on Climate Change

Mr/Madam President,

The Global Network for Rights and Development (GNRD) welcomes this opportunity to address the Human Rights Council on the continuing efforts to address the serious issue of climate change and its intrinsic connection with global human rights. The struggle to protect our environment has been a long uphill battle, and as the urgency of the crisis becomes ever more apparent, there has never been a more appropriate time for immediate and decisive action.

We would first like to state that we are pleased that the international community has begun to take major steps to address and fight climate change. We commend the adoption of the first legally binding climate change agreement, reached at the recent UN Climate Change Conference in Paris, which represents an admirable level of cooperation and a landmark effort to seriously combat rising emissions.

While it remains to be seen how well individual states will meet the proposed targets- as compliance with international climate agreements has historically been an obstacle, even amongst our closest friends- the Paris Agreement paves a path for coordinated and transparent action with substantial funding for initiatives in developing countries. With carbon emissions falling by only 1 percent last year, we have no choice but to urgently escalate investments in renewable energy and carbon sequestration.

At this point, however, the potential environmental costs of climate change failure are repeated often enough, and we are dismayed that the human costs are widely overlooked. GNRD finds it deeply disappointing that both sections on health and human rights were omitted from the legally binding sections of the Paris Agreement. The inextricable link between climate change and human rights has been well documented by this council, and the lack of consensus from states to address serious threats to basic rights is immensely concerning.

John Knox, the UN Special Rapporteur on Human Rights and the Environment, noted in December of last year that "every State in the climate negotiations belongs to at least one human rights treaty... governments do not check their human rights obligations at the door when they respond to climate change." Article 12 of the International Covenant on Economic, Social and Cultural Rights clearly states that health is a fundamental human right, and includes a clear responsibility for state parties to take steps to improve "all aspects of environmental and industrial hygiene." States have a responsibility to ensure food security, clean water, and safe air.

Moreover, we believe that it is imperative that states' policy address the irrefutable and disproportionate effects of climate change on vulnerable populations such as women, the poor, and indigenous communities. Particularly in developing countries, irregular weather patterns and droughts have disrupted agricultural production, while extreme natural disasters have devastated communities and proliferated diseases.

This has both directly and indirectly contributed to major shifts in migration flows around the world. In East African countries like Sudan, Ethiopia, and Eritrea, for example, where up to 90% of inhabitants depend on agriculture to survive, unpredictable temperature shifts have led to a surplus of poor migrants moving north to attempt smuggling routes into Europe.

GNRD firmly believes that a comprehensive climate change strategy must focus on mitigating the inevitable impact on human rights. Collective responsibility and action means not only addressing the need to achieve net zero greenhouse emissions, but also working to ensure that those already affected by climate change receive adequate protection and support.

We believe that despite being confronted with a serious and dangerous challenge, this point in history is an opportunity to radically catalyse our efforts towards true sustainable development. It will not be easy, but with substantial investment in renewable energy and a commitment to strong public health regulations, states can choose protect both our people and our planet, and transform the future of our society.

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Human Rights Council
Thirty-first session
Agenda item 6
Universal periodic review

Written statement* submitted by the Global Network for Rights and Development (GNRD), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Please recycle

Nepal UPR

The Global Network for Rights and Development (GNRD) would firstly like to commend Nepal on its efforts to protect human rights through the adoption of the new constitution in September 2015, in particular through seeking to ensure equality and outlawing capital punishment. However, GNRD believes this Constitution, while a positive step in the right direction, does not go far enough to protect the rights of the vulnerable and the marginalized, particularly Nepal's ethnic minorities and indigenous populations, as well as women and girls who are subject to high levels of gender-based violence. This failure to address the rights of marginalized groups, was the primary trigger causing months of protests, leading to many injuries and deaths, as well as essential aid supplies for victims of the earthquakes being stranded at the border and unable to reach the places that need it the most. Furthermore, vulnerable groups in Nepal continue to find it very difficult to get access to justice and human rights defenders have repeatedly been arbitrarily arrested and attacked for trying to protect vulnerable groups. It is therefore vital that the new Constitution is respected and followed, but also that is considered as a base upon which human rights protections must be built and reinforced if Nepal is to comply with its international human rights obligations and ensure the vulnerable are protected.

A human rights focus is especially important in Nepal in the wake of the destruction caused by last year's deadly earthquakes. A total of 8,891 people were confirmed dead, over 14,500 injured, 605,254 houses destroyed and 288,255 houses damaged.[1] Furthermore, 188,900 people were temporarily displaced as a result of their houses being destroyed or damaged, with many travelling long and arduous journeys to secure essential supplies for themselves and their families. Around a third of them are still believed to be displaced.

This humanitarian crisis demanded an immediate and effective response from Nepal's government. Nepal made an official request for international help within hours of the first earthquake, and Nepal's National Disaster Response Framework coordinated efforts in the earthquake response. The international community was quick to respond and over 60 countries, as well as the UN and international agencies, provided active support and contributed with emergency relief and humanitarian assistance. However, despite this GNRD believes the government of Nepal did not do enough in the crucial stages after the earthquakes struck to provide aid and shelter to those in remote areas of Nepal. Prior to the earthquakes, Nepal did not have a national, integrated search and rescue capacity. Yet, Nepal ranks 11th in the world in respect of vulnerability to earthquakes,[2] and therefore Nepal should have more thorough contingency plans in place to actively respond to such a crisis in an effective manner, to help reduce the scale of devastation. Such a plan is pertinent, especially when considering that around 84% of Nepal's population live in rural areas. Many people affected by the disaster are highly vulnerable and during humanitarian action it is extremely important that these people are protected and have access to humanitarian aid. Yet, people in remote villages simply watched as helicopters with aid fly over them and their villages.

Aid struggled to get into the country and people, particularly tourists struggled to get out of the country, largely because Nepal did not have the capacity to cope with such a large scale operation. Those in Katmandu crammed on overly crowded buses heading out of the city centre as locals feared for their safety from ensuing aftershocks causing more devastation. Nepal should have provided more transportation and earlier to enable more people to get to safety.
By July 2015, several months after the earthquakes struck, the average perception amongst the Nepalese population was that only 32% felt that aid was being fairly distributed. While this figure rose to 42% by September, this is still a disturbingly low figure.[3] Furthermore, around 117,000 Nepalese did not receive food assistance in October 2015 and health facilities reported a shortage of important medical supplies.[4] Although the Reconstruction Authority Bill was

[1] UNDP, NEPAL EARTHQUAKE Humanitarian Response, April to September 2015, www.unocha.org/nepal (http://reliefweb.int/sites/reliefweb.int/files/resources/nepal_earthquake_humanitarian_response_report_lr.pdf)

[2] ISDR, Global Assessment Report on Poverty and Disaster Risk 2009 (http://www.undp.org/content/dam/nepal/docs/reports/UNDP_NP_Nepal%20Country%20Report.pdf)

[3] UNOCHA, Nepal Earthquake: Humanitarian Snapshot (as of 31 Oct 2015) (http://reliefweb.int/sites/reliefweb.int/files/resources/151030_HumanitarianSnapshot_final.pdf)

[4] *Ibid*

finally approved and endorsed by Nepal's parliament in mid-December 2015, the eight month delay in negotiating and debating this bill is highly worrying when more urgent action was required due to the scale of this humanitarian crisis. This is especially concerning since Nepal is rather prone to natural disasters and therefore should have more been more prepared for a quick, comprehensive and effective response.

GNRD believes that UN data revealing that women and girls were disproportionately affected by the earthquake and that fifty-five per cent of those who died in the earthquake were female,[5] highlights gender equality issues that Nepal needs to address. A 2014 UN Secretary-General report on gender equality in natural disasters states that women and girls face an increased risk of rape and sexual violence during or after a natural disaster has struck, and this in turn causes further problems of unwanted pregnancies, the spread of sexually transmitted diseases and reproductive complications.[6] There needs to be more protections in place in Nepal to prevent these acts occurring in the first place, including educating society about gender equality. Additionally, women need to receive improved access to reproductive health care and to be informed of their rights to access these services. Gender inequalities further result in women suffering more from disasters, since they generally have a lack of control over key issues such as decision making, resources for survival, social networks and information. GNRD believes that for Nepal's post-earthquake recovery to be successful, it is vital that women in Nepal are given an opportunity to play an active role in decision making in Nepal's reconstruction and are permitted to participate in society a meaningful way, and on an equal level as men in order to help rebuild a stronger, more stable Nepal.

Nepal is a developing country, one of the poorest in Asia, and officials have admitted that they were overwhelmed by the scale of the disaster and the challenges it posed. Nevertheless, if Nepal focused on tackling issues such as inequality and discrimination, which are rife in Nepal, the disaster relief missions may have been a lot more effective. Nepal's lack of preparedness and slow responses to delivering essential aid to remote areas and long delay in agreeing on the reconstruction bill are deeply concerning from a human rights perspective and cannot be excused.

It is imperative that Nepal adopts a human rights approach and commits to ensuring human rights are protected, thereby limiting the growing risk of a worsening human rights situation following the earthquakes. In order to do this and ensure human rights are more securely protected in Nepal going forward, GNRD urges Nepal to implement the UPR recommendations made by states to Nepal in the 23rd session of the UPR, particularly in relation to ensuring that the most vulnerable groups are protected, especially ethnic minorities, indigenous peoples and women and girls, since they continue to face prejudice and find it very difficult to get access to justice. Nepal largely failed to act on the recommendations from its first UPR in 2011 and thus GNRD would like to remind Nepal that accepting these recommendations is only the first step; for change to be affected and human rights strengthened it is essential that these recommendations are actively implemented. This effective implementation would improve Nepal's ability to respond urgently and effectively to any potential future humanitarian crises with a human rights lens, and would generally improve the lives of the 27.8 million people who live in Nepal.

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[5] Human Rights Council, Working Group on the Universal Periodic Review, Twenty-third session, 2-13 November 2015, A/HRC/WG.6/23/NPL/2 (http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G15/196/04/PDF/G1519604.pdf?OpenElement)

[6] UN Economic and Social Council, DE/CN.6/2014/13, http://www.un.org/ga/search/view_doc.asp?symbol=E/CN.6/2014/13

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Global Network for Rights and Development (GNRD), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Please recycle

Refugees and Displaced peoples

Madam/ Mr President,

The unprecedented increase in the number of Refugees and Displaced peoples is an indication of our spiraling collective immorality and desensitization to the suffering of our fellow human brothers and sisters. An indication that will be stamped in the history books as one of our lowest points in history.

It is the right of every refugee, under the "1951 UN Convention Relating to the Status of Refugee" to seek asylum. It is also a right enshrined in Article 14 of the Universal Declaration of Human Rights states that "Everyone has the right to seek and to enjoy in other countries asylum from persecution." Similarly, it is the obligation of the receiving state to provide the same rights as nationals, or foreign expats to the refugees.

States have resisted the rights of refugees to lead normal lives. In some countries, refugees are not even recognized as so, sometimes brushed as 'guests' and made to live in camps without any rights to work, own property or pursue a normal life. In reality, refugees have an inalienable right to standard of living adequate for the health and well-being of the person and their family, including food, clothing, housing, medical care and necessary social services.

In other countries, the plight of refugees starts when they reach their destinations as they are treated like criminals. A lot of them are forced to live in prison-like conditions; some are numbered like cattle, and subject to the most grotesque of treatment. We would like to remind that refugees have the right to life, liberty and security just like any other human being. Refugees should be allowed to have access to justice system when their rights are violated but in as we all know this is not the case. More Economically Developed Countries, countries that pride themselves on justice and liberty have inadequate legal recourse when a refugee is mistreated or rights violated.

The scaremongering of politicians and the rise of right wing movements have made the idea of refugees a contentious issue. At the height of the Syrian crisis, thousands fled to Europe, risking their lives, to live in a world where their rights are respected. Also, right to seek refuge, right to dignity and belief in humanity was deteriorating as some countries used policies of deterrence to 'fix' the refugee crisis. These deterrence policies have built walls or fences, forced refugees to live in deplorable conditions (as they slept on the cold streets, under bus shelters and any rock that accepts a resting head) and allowed hundreds to die in the journey to safety. Help or humanity should not start at the borders of a country but should rather extend to wherever lives could be saved.

We see the ripples of this oppressive deterrence policy across the Atlantic Ocean in the US Presidential debate, where some candidates are calling for discrimination of many groups, including refugees on the basis of their religion, threatening rights of citizens and others alike, in practicing their religious beliefs without prejudice or fear. We have documented paid propaganda being used to demonize refugees as the 'others' group. Propaganda which asserts wrongfully that these refugees are job-scrounging, violent, bigoted as well as uncivilized. Other right-wing news outlets and populist media have repeatedly bombarded the public with information, designed to build resentment against the same people that are asking for their help to lead normal lives.

In fact, a very large proportion of refugees are refused entry, forcefully sent back to country of origin or sent back to the borders in line with 'deterrence policies' and discriminatory 'migrant cap' system. Sometimes these 'migrant caps' are written in law or are part of government policies forced upon immigration case workers even when they truly believe that the seeker of asylum is genuine. Article 33 of the 1951 Refugee Convention calls not to return a refugee to a country of territory where he/she would be at risk of persecution: "No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." Recently, Frans Timmermans, who is in charge of defending the rule of law and fundamental rights in the EU, said a cap would violate the bloc's and international law. There is hard evidence and legal precedents which show that discriminatory policies towards refugees are illegal but states continue to violate.

It is time that we, as civil society and nations alike, condemned these voices of hate and agree that 'deterrence policy' towards refugees is not only discriminatory but also as dangerous as ideology of fascism or supremacism. Short political gains through the systematic stigmatization of refugees as well as blaming them for every economic and moral

problem has long term effects on the social cohesion of societies. Policies and far-right political propaganda spreads sense of fear and rejection which will discourage integration, undermine the rule of law and set us back in human morality.

We should not encourage death of displaced peoples by doing nothing to stop human traffickers use unsafe methods of transportation of refugees in their journeys across sea and land increasingly dangerous.

As we all know, the cause of the refugee crisis has become a systemic issue; a product of poor collective action against threats to global peace and security. The refugee crisis is no longer a product of civil or "local regional" war but a symptom of the indecision and irresolution of the Security Council.

There are over 60 million refugees and displaced people running away from the hell of war and the stench of death. We are adamant that the resolve of the honorable representatives of this room can put an end, once and for all:

- To the discrimination against refugees.
- To the further break-up of communities and families
- To the root causes of conflicts that have caused the number of refugees to increase

We at GNRD are infuriated by the countless cases of asylum seekers that contact us to help them seek justice as they have no access to the 'legal aid' of qualified lawyers. A lot of developed countries still put barriers to appeals in court and the right course of justice by not providing qualified lawyers to present their legal cases; an act that should be condemned unanimously.
Therefore, GNRD calls on the international community to rid themselves of subjective perspective towards the weakest people of society (refugees) and work together, in an objective manner to resolve their issues. Some refugees are still leaving the same areas of conflict for over a decade while the international community cannot bring about a rooted solution to stop the flow. We need to work together to provide humanitarian aid as well as state rebuilding where it is needed by working to defuse tensions and enable a basic economy and security.